

March 23, 2011

To: Potential Proposers

From: Montana Department of Public Health and Human Services, Developmental Services Division, Developmental Disabilities Program

Subject: Adult residential and work /day habilitation services in Montana for the placement of 12 people from the Montana Developmental Center - An RFP

REQUEST FOR PROPOSALS

The Department of Public Health and Human Services is seeking interested entities to provide adult residential and work/day habilitation services along with appropriate residential service settings under contract for the Developmental Disabilities Program. The selection is to be made upon a competitive basis through a request for proposals process.

The Request for Proposals is attached and contains the information necessary for participating in the competitive process for selection of one or more successful proposers.

The Request for Proposals is attached and contains the information necessary for participating in the competitive process for selection of a contractor.

Proposals must be received by the Department by April 29, 2011 at 5:00 pm. A proposal must be received by the due date and time in order to be considered. The Request for Proposals contains the specific directions for submittal of a proposal.

The proposal is to be directed to the procurement official for the Department at the address indicated in the RFP.

REQUEST FOR PROPOSALS

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES DEVELOPMENTAL SERVICES DIVISION DEVELOPMENTAL DISABILITIES PROGRAM

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I. GOALS OF THIS REQUEST FOR PROPOSALS

The State of Montana, Department of Public Health and Human Services (DPHHS), Developmental Services Division, Developmental Disabilities Program (DDP) is seeking to contract for the delivery from qualified developmental disabilities service providers that have expressed interest in providing residential and work/day habilitation developmental disabilities services to twelve persons currently residing at the Montana Developmental Center who are to enter developmental disabilities community services. This expansion of community services opportunities is concurrent with a reduction in capacity at the Montana Developmental Center (MDC). The DDP is requesting proposals for community services residential habilitation service settings, either as two (2) six-bed adult community homes or as three (3) four-bed adult community homes and for the commensurate work/day habilitation and transportation services, preferably in the same community with the same provider. There is a preference for the Butte or Helena areas. No start up grants are available for this RFP.

II. GENERAL INFORMATION ON RFP PROCESS FOR PROPOSERS

A. RFP Schedule

The following is the schedule of events for implementation of this RFP.

- 1) issue RFP – March 23, 2011;
- 2) letter of intent to propose due from potential proposers was already sent;
- 3) written questions due – March 30, 2011 by 5:00 pm;
- 4) written answers distributed – April 6, 2011 by 5:00 pm;
- 5) proposals due – May 2, 2011 at 5:00 pm; and
- 6) intended contract award – no later than June 1, 2011

The department within its discretion may change any or all of the dates specified in this provision.

B. Principal State Personnel and Addresses

The procurement official responsible for the conduct of this RFP process is:

Please send these copies to the attention of Leslie Howe, Developmental Disabilities Program Services Coordinator, DDP Central Office, 111 North Sanders Street, PO Box 4210, Helena, MT 59604-4210.

Any and all communications of any proposer with the Department relating to this RFP must be directed to the procurement official.

The program staff that is the liaison for the purpose of administering the contract to be entered into is:

Stephanie Kindt, Developmental Disabilities Program Central Office, 111 North Sanders Street, PO Box 4210, Helena, MT 59604-4210, phone 406-444-2664, fax 406-444-0230, email: skindt@mt.gov

C. Letter of Intent to Propose

Potential providers were given an opportunity to submit a letter of intent to propose. This letter sent to providers on January 18, 2011 with a deadline to submit a letter by February 4, 2011. Failure to submit a letter of intent to propose disqualifies a party from submitting a proposal in response to this RFP.

D. Submission of Proposals and Rejection of Late Proposals

A proposer must submit its proposal as directed in this RFP.

The proposal must be received in its entirety no later than May 2, 2011 at 5:00 pm.

The proposal must be directed to the procurement official specified in Section B and must be addressed as specified in Section B.

The proposal must be submitted by mail, fax or personal delivery. All pages of a proposal submitted by fax must be received by the required date and time. Submission by e-mail is not permitted.

The proposal must include a statement identifying this RFP request with specificity and any subsequent addenda to this RFP.

Five (5) copies of the proposal must be submitted.

The proposer is solely responsible for the timely delivery of the proposer's proposal. The Department does not waive delivery requirements due to failings in the mode of delivery selected by the proposer.

A proposal received after the date and time for specified for submission of proposals is not accepted for consideration regardless of cause. A submitted proposal for which not all pages or attached materials are present at the date and time specified for submission of proposals is not accepted for consideration

regardless of cause.

A late proposal is destroyed unless the proposer requests return of the proposal and agrees to pay the costs involved.

E. Withdrawal and Resubmission

A proposer may withdraw a proposal at any time prior to the date and time the Department designates for the submittal of proposals. A proposal withdrawn prior to the date and time may be resubmitted in a modified form if done so within the time period allowed for submittal of proposals.

F. Compliance with the Terms of This Request for Proposals

This RFP contains the instructions governing the submission of a proposal, the descriptions of the tasks to be performed, and the requirements necessary to undertake performance. The Department, acting through a procurement official, an evaluation committee, a division administrator and other personnel, determines a proposer's compliance with the requirements of this RFP.

The Department in evaluating the submitted proposals first determines whether a proposal is responsive. A proposal that is not presented substantively in the required format, does not contain all the requested information, contains clearly erroneous information, or is deficient in any respect may be rejected as nonresponsive and may receive no further consideration.

The Department, in its discretion, may request further information, clarification or correction of obvious mistakes from any and all proposers. The Department, in its discretion, may request a proposer to correct obvious mistakes or provide needed clarifications in a proposal either before or after the date for submittal.

A proposer may not unilaterally make changes in a submitted proposal after the date for submittal has passed.

G. Proposal Format

A proposal must be written in a legible type, be organized by sections in accordance with this RFP, have numbered pages, and have a table of contents.

H. Proposer's Representations

A proposer by submitting a proposal for consideration represents that this RFP

has been read and is fully understood and that the submitted proposal is based upon that understanding of the specifications, tasks and requirements described in this RFP.

This request for proposals is to be incorporated into and made a part of the contract. Consequently, the provisions of this RFP are to be binding upon the contractor.

The proposer by submitting a proposal agrees that, if it receives and accepts an offer to contract from the Department, it is to be bound by the terms of this RFP and the contract along with any attachments to either document.

A proposer further represents that it has the ability to deliver the services specified, to perform the tasks and responsibilities in accordance with the time lines presented in this RFP, and to deliver the services at no more than the costs specified in the proposer's proposal.

I. Notice of Ambiguities, Inconsistencies or Errors

A proposer must provide notice in writing to the Department, prior to or at the time of the written questions, any possible ambiguity, inconsistency or error that it discovers in the RFP.

J. Corrections of or Changes to This RFP

Any correction of or change to this RFP made by the Department is to be made by written addendum. Any information provided or received in any other manner that purports to correct or change this RFP is not binding and may not be relied upon.

K. Questions and Answers

Proposers may submit written questions concerning the RFP process and the services to be provided. Written questions must be submitted by the due date for submittal of written questions. Questions submitted to the Department are to be in writing and directed to the procurement official and address specified in Section B. The Department responds in writing to written questions and to questions received. The questions and answers are distributed to those entities that have requested this RFP by the date specified in Section A.

Oral questions are not accepted. Any information received by a proposer that does not originate with the procurement official, is not in writing, or is not

shared with all proposers is not official, is not part of this RFP and may not be relied upon.

L. Public Access and Confidential Information

1. Public Access

A proposal, inclusive of the information within and attached to the proposal, is submitted for the purpose of evaluation of the proposal and, if the proposer is successful, is then incorporated into the contract as one of the principal features defining and governing performance. Upon entry into a contractual relationship, the Department has the right to use or disclose the proposal and related information to any extent required by law.

All proposals and other information received in response to this RFP is available to the public, except for trade secrets as defined by the Uniform Trade Secrets Act, Title 30, Chapter 14, Part 4, MCA, corporate financial information, matters of personal privacy, and other confidential information as recognized in Montana law.

All proposals are available for inspection during regular business hours. Please contact the procurement official for further details.

2. Submission of Confidential Information

Proposers are discouraged from submitting information for which there is a claim of privacy unless it is considered essential for proper evaluation of the application. The Department may not be able to enter into a contract with a proposer, if the proposer has claimed that proposal information is confidential, since the information is likely to be considered public information under Montana law.

The Department rejects as nonresponsive any proposal for which there is a claim of privacy for the proposed costs of service delivery or other information that is commonly recognized by the law to not be confidential in nature or, if recognized as confidential, is commonly available to the public based on the public interest in the right to know.

Upon receipt, proposal information is disclosed only to persons participating in the evaluation or contracting process until the proposal has been reviewed and all marked confidential information has been removed. After this review, all remaining proposal materials are open for public inspection and copying.

Material marked as confidential may be released at a later date if it is determined that the material is not confidential or that, even if the material is confidential, the public interest in the right to know outweighs the privacy interest. In addition, the Department may release any information for which there is a claim of privacy, if the information is available to the public without restriction from another source or has been released to the public otherwise by the proposer.

In order for a proposer to claim that information presented in the proposal is confidential, the following conditions must be met:

- 1) Information for which confidentiality is claimed must be clearly marked and separated from the rest of the proposal.
- 2) An affidavit from the proposer's legal counsel attesting to and explaining the claim of privacy for the information must be attached to the proposal.
- 3) A proposer making any claim for protection of information in a proposal as confidential must indemnify the Department in writing for the retention and costs of legal counsel and all other legal costs and fees necessary for and related to any defense of the claim of privacy.

Documents not meeting all of the requirements for protection from release based on confidentiality are available for public inspection, including copyrighted materials.

M. Costs of Developing and Presenting Proposal

The cost of developing and presenting a response to this RFP is entirely the responsibility of the proposer and is not reimbursable by the Department.

N. Proposal Security

This provision is not applicable.

O. Rights Reserved to the Department

While the Department intends to award a contract, issuance of this RFP and the conduct of the selection process is a discretionary act and do not commit the Department to the award of a contract.

The Department reserves the right to:

- 1) cancel or terminate this RFP process;
- 2) reject any or all proposals received; and
- 3) waive any procedural or substantive requirement of this RFP which it determines does not substantively impact in a negative way this RFP process or any or all of the proposers.
- 4) withdraw this request for proposals if the Department does not get proposals for all of the 12 persons identified.

The right of the Department to waive a requirement of this RFP does not afford a proposer the right to unilaterally fail to comply with a requirement or to obtain a waiver of a requirement.

III. SERVICES TO BE PROVIDED

A. DESCRIPTION

The DDP is requesting proposals for residential habilitation services provided through either two (2) six-bed community homes settings or three (3) four-bed community homes settings and for the commensurate work/day habilitation and transportation services, preferably in the same community with the same provider, for the 12 men currently referred from MDC and identified for this proposed downsizing. Preference will be given to the delivery of the services in the Butte and Helena areas. The preferred groupings for these persons are made available subject to the confidentiality considerations noted in this RFP.

The DDP requests that providers consider hiring any employees from MDC who are impacted by the staff reduction that results from the change in the facility size.

Time is of the essence and the community services must be ready as soon as possible. The folks will be ready to move starting July 1, 2011 through August 30, 2011 and the proposer(s) must be prepared to provide the proposed services at that time.

The community home residences must in design and structure be in conformance with ICF/MR building standards and provide appropriate community like features.

Once the pool of proposers has been determined through the responses to the Intent to Propose Letter, each proposer that is proceeding to prepare a proposal will be provided the list of the names for the residents who are to be entering community services through this initiative. Those names, other particular

identifying information, and treatment and planning information that is made available constitutes personal health care information and must be protected from release and used in a manner to protect that information from misuse and inappropriate release.

The list of client names includes an assigned number for each person that is for use by the proposer in preparing the proposer's proposal. When referring to a specific person in a proposal, the proposer is to only use the corresponding client number from the list rather than the person's name. The names and other confidential information are subject to the commitment of the proposer to comply with federal and state laws and Department policies that govern the protection and use of the information. Except as necessary for the use by a successful proposer for the implementation and delivery of services, this confidential information is to be destroyed after the RFP process is completed.

Most of the persons who are to be placed do not currently meet the criteria for legal commitment to the Montana Developmental Center. The persons to be placed have self care deficits, medical needs, and behavioral difficulties. Most have mental health needs and will need to live in a community where there is mental health care readily available, including licensed professionals to prescribe and monitor psychotropic medications.

The placements are to be undertaken through person centered transition planning involving MDC treatment staff and community Developmental Disabilities case managers.

Upon placement of these persons into the community services to be developed through this RFP, the provision of those services will be reimbursed through the Department's current reimbursement rates for developmental disabilities services and invoicing will occur through DDP's AWACS system.

Proposers are on notice that cooperation is expected with the Developmental Disabilities Program regarding updates on the status and success of these placements. Also expect Developmental Disabilities Program staff to visit on site to evaluate in addition to regular quality assurance activities.

Proposals must address and will be evaluated in terms of the following requirements:

1. A proposer must currently be a qualified developmental disabilities provider with proven experience in providing services to adults with significant behavioral, mental health, and self care needs. A proposer

must describe in detail its current and historic status as a qualified provider of residential services. The Proposer must include the following: the number of years providing DD services, types of currently delivered services and locations of those services, experience of management, trainers, direct care staff, and others in the administration and delivery of developmental and other similar social services, information on past and current quality of services such as accreditations, reviews, audits, corrective actions, current initiatives to improve service delivery and quality outcomes, practices to assure community integration, administrative structure of the entity, and other features of service delivery.

2. Proposals must include descriptions of the residential habilitation service settings, residential habilitation services, work/day services and transportation, location of proposed services, if services are accessible to the persons to be served, if the services are centrally located in the community. Some of the persons may not require or be willing to attend a day program and home based activities may be necessary as an alternate all or at least part of the time.
3. Individual cost plans will be developed based on the persons' needs and the projected cost plans will range from \$80,000 to \$100,000 and this amount includes transition grants. Estimated individual cost plans must be presented. The average cost plan cannot exceed \$100,000.
4. A description of the living arrangements and living space must be included. Note if there will be single rooms or shared rooms.
5. A description of how the health and safety of the persons will be assured must be presented. As a result of increasing problems with keeping homes within a comfortable and safe heating and cooling level, a plan on how the homes will be kept within a 68-85 degree range is requested.
6. A description of staffing, staff supervision, staff training, and on-call arrangements must be included. The expected staffing level in the homes is one staff to two clients during the day and two (2) staff on shift overnight. Anticipated staffing ratios for days, nights, and weekends need to be included in the proposals.
7. If your corporation will not be providing all services, copies of agreements with collaborating providers must be included with detailed information as to delivery of those services and the qualifications of those providers.
8. A description must be included of how the necessary medical, dental, mental health, dietary, therapies, counseling, and other health care needs will be met. Copies of letters from medical, mental health, and other health care professionals showing agreement to serve these persons must be included.

9. The proposer must include a commitment to provide the services between July 1, 2011 and August 30, 2011. Failure to deliver the services during the necessary period will result in a corrective action plan and possible adverse consequences for the provider's existing qualified provider status. This includes possible payment to the Department for lost revenue.

The submitted proposals will be evaluated by a review committee consisting of departmental staff. The RFP review committee's recommendation will be made to the Developmental Disabilities Services Administrator, the Medicaid and Health Services Branch Manager, and the Department Director.

B. CONTRACTUAL RELATIONSHIP

The services to be delivered will be amended into the provider's current contractual relationship with the Department for the delivery of Developmental Disabilities Services.

C. NUMBER OF PROPOSERS TO BE SELECTED

It is the intent of the Department to select one or more proposers for the performance of the services.

D. CONSIDERATION

As previously noted, the consideration for the successful proposer's are the established reimbursement rates for the delivery of developmental disabilities services.

IV. INFORMATION ON LEGAL OBLIGATIONS OF SUCCESSFUL PROPOSERS

The delivery of the services to be provided are governed by the terms and conditions of the current federal and state laws, regulations and policies for the delivery of Medicaid funded developmental disabilities services. The delivery of these services is to be amended into the existing contractual relationship with the Department's Developmental Disabilities Program.

V. CONTENTS AND FORMAT OF PROPOSAL

A. Contents

A proposal must contain all of the following elements arranged in the following order:

- 1) Cover Letter;
- 2) Table of Contents;
- 3) Summary;
- 4) Description of Service Delivery / Work Plan
- 5) Administration;
- 6) Experience;
- 7) Resources/Supports;
- 8) Financial Management and Information;
- 9) Assurances; and
- 10) Attachments.

B. Summary

The Summary states the principal features of the proposal. The proposer may call attention to those aspects of proposed performance and its organization that it views as its strengths.

C. Description of Service Delivery

This section provides the proposer's plans for service delivery, including the related matters such as coordination with other entities and quality control measures.

A proposal must include a clearly stated and detailed work plan with goals, objectives and time lines based on the description of the services to be provided as stated in this RFP. The proposal should clearly outline the methods proposed by the proposer to accomplish the goals.

D. Administration

This section provides general information about the administrative features of the proposer's organization.

This section must include, but is not limited to, the following:

- 1) Address and telephone number of the applicant or the organization's corporate office and the name of the director or chief executive;
- 2) Names and addresses of board members, if applicable; and
- 3) Employer identification number (EIN).

E. Experience

This section provides information about the proposer's general background, relevant experience, and qualifications necessary for the effective delivery of the required services.

This section must include, but is not limited to, the following:

- 1) A description of the primary purpose or goals of the organization;
- 2) A description of all of the services provided by the applicant or organization, including the locations of service sites;
- 3) Resume of key personnel that may be directly involved with the program/project;
- 4) A narrative describing the proposer's experience as it relates to this project;
- 5) Letters of support for your proposal should demonstrate familiarity with the specifics of the proposal submitted;
- 6) A list of persons with addresses and phone numbers and e-mail addresses who are familiar with the delivery of similar services by the proposer to the Department in the past or to other programs similar to that of the Department; and
- 7) Any additional information related to the proposer's organization, personnel, and experience that would substantiate its qualifications and capabilities to perform the services described.

F. Resources/Supports

This section identifies the community and organizational features to be used that are necessary to or complementary to the delivery of services.

This section must include, but is not limited to the following:

- 1) Staffing;
- 2) Computer and software capabilities; and
- 3) Proposed coordination and subcontractual agreements.

G. Financial Information and Management

This section provides the financial information and describes the financial practices of the proposer by which the Department can assess the appropriateness and cost-effectiveness of services delivery.

This section must include, but is not limited to the following:

- 1) Specified costs for the particulars of service delivery;
- 2) A budget for the project; and
- 3) The name, address and phone number of the financial officer or other responsible fiscal person designated by the applicant organization.

H. Attachments

This section should provide a comprehensive list naming and identifying the attachments to the proposal.

VI. SELECTION PROCESS

A. Generally

The selection of the proposer or proposers to be offered a contract with the Department for the purposes of this RFP is a discretionary act of the Department.

The selection of the proposer or proposers to be offered a contract is the responsibility of the administrator of the division that administers the program of services the contract is in furtherance of.

The procurement official for the Department reviews the proposals initially to determine whether they have been submitted by the required time and date, whether they are in form and content in compliance with this RFP, and whether there are any matters such as claim of confidential material that must be immediately addressed.

The proposals that appear to be responsive are submitted to a proposal evaluation committee to be evaluated in relation to the scored criteria. The proposal evaluation committee, in addition to evaluating the scored criteria, may recommend that a proposal be rejected as nonresponsive for either form and content or failure to meet substantive requirements of this RFP.

The proposal evaluation committee, based upon the scores compiled by the committee, recommends to departmental management the proposal or proposals to be selected.

The administrator of the division determines which departmental staff are to obtain reference information from references and other sources.

Departmental management, based on information from references or other sources concerning matters of past performance or integrity, may select a proposer other than the proposer recommended by the evaluation committee.

The Department reserves the right to cancel and terminate this RFP at any time.

B. Proposal Evaluation Committee

A Proposal Evaluation Committee is established by the Department to evaluate all proposals determined to be responsive and to make a recommendation based on the scored evaluation portion of the selection process as to the proposer or proposers to which contracts should be offered.

The Department selects the members of the committee.

C. Rejection of a Proposal as Nonresponsive

A proposal must meet basic requirements for delivery of services in order to be considered in the selection process.

A proposal may be found nonresponsive at any time during the selection process. Once a proposal is determined to be nonresponsive no further consideration is given in the selection process to that proposal.

The Department in evaluating the submitted proposals first determines whether a proposal is presented in the form and with all the components that are necessary for consideration of the proposal in the evaluation process. A proposal that is not presented substantively in the required format, does not contain all the requested information, contains clearly erroneous information, or is deficient in any respect may be rejected as nonresponsive and may receive no further consideration.

A proposal also may be found nonresponsive if it fails to meet the basic criteria for delivery of services. The basic criteria for delivery of services may include but is not limited to: performance of certain services by certain types of professionals or by persons with specified experience; possession of all requisite corporate and individual licensure, certification and other legally necessary requirements and approvals; requisite staffing and facility development and location for delivery to specified consumer populations or geographical areas; and a maximum limit to the costs of performance.

D. Selection Criteria

The proposals are to be evaluated based on the following criteria:

- 1) the scores of the various proposals received in the scored process of the evaluation, and
- 2) the information concerning past performance and integrity received from references and other sources

These criteria are independently evaluated by the Department.

Departmental management selects the successful proposer or proposers based on the following results in the evaluation of the criteria:

- 1) the receipt of a high ranked scored evaluation;
- 2) the receipt of overall positive responses and information from references and other sources concerning past performance in respect to the areas and features of intended performance and in respect to integrity.

E. Information on Past Performances and Other Matters

The Department obtains and relies upon information from references and other sources as to a proposer's past performances in respect to the areas and features of intended performance and in respect to integrity. This information may include the proposer's history of working successfully and cooperatively with the Department and other entities.

F. Proposal Scoring Method

The evaluation of proposals is based on the following criteria: the proposer's experience and capabilities, delivery of services, and budget.

- 1) Proposer's Experience and Capabilities: total points possible 36, minimum points necessary 12.

This section is an evaluation of information related to the proposer's organization, personnel, and experience that would substantiate its qualifications and capabilities to perform the services described. The evaluation includes:

- * administrative capabilities of the organization in relation to the delivery

- of services;
 - * resources and supports of the organization that can be applied to the delivery of services;
 - * experience of organization in delivery of the sought after services or services similar to the sought after services; and
 - * qualifications of staff to be assigned to the work.
- 2) Delivery of Services: total points possible 12, minimum points necessary 4.

This section is an evaluation of information presented by the proposer to substantiate the proposer's understanding of the duties and responsibilities and to determine the feasibility and quality of the proposer's proposed performance.

The evaluation includes:

- * appropriateness, quality, and effectiveness of the services as proposed for the delivery; and
- * resources and supports the organization can obtain from community and other sources that contribute to the development, maintenance and delivery of services.

- 3) Budget: total points possible 6, minimum points necessary 2.

This section includes an evaluation of the proposed budget to determine whether the proposer has an appropriate budget proposal for purposes of adequate and competent performance of the contractual duties and responsibilities. This section includes evaluation of:

- * whether the budget categories are appropriate and acceptable for performance; and
- * whether the sums designated in the budget are appropriate for the various particulars of performance.

G. Decision

The selection of the successful proposer or proposers is made by the departmental management.

The selection is made after review of the recommendations of the proposal evaluation committee and the information concerning past performance and integrity, along with supporting materials and other information obtained for

purposes of the selection process.

H. Notice Letters

Upon a final decision as to the proposer or proposers to be offered a contract for services, the Department provides written notice of that decision to all proposers.

